

BOARD OF MAYOR AND ALDERMEN

May 6, 2003

7:30 PM

Mayor Baines called the meeting to order.

The Clerk called the roll.

Present: Aldermen Wihby, Gatsas, Guinta, Sysyn, Osborne, Pinard, O'Neil,
Lopez, Shea, DeVries, Garrity, Smith, Thibault and Forest

Mayor Baines stated at the request of a Board member I am going to pull an item up early on the agenda.

Alderman Lopez stated the HR Director is on her way but we will proceed. At this time, your Honor, I would like to read the appointment of a Commercial Assessor.

Dear Board of Mayor and Aldermen:

Pursuant to Section 3.08 of the City Charter, a written procedure was adopted in March by the Board of Mayor and Aldermen to recruit and/or appoint a Commercial Assessor.

The procedures established a screening committee, which was composed of three Aldermen, the Manager of the Assessment Bureau from the State Department of Revenue and a fifth person appointed by the Board. The Assessor's position was advertised for several days and resulted in seven applicants. Four of the applicants qualified and as such were interviewed by the screening committee on April 25, 2003.

All of the candidates were very knowledgeable and quite impressive. The screening committee has identified the individual that the committee believes is the most appropriate candidate for the Assessors position. Therefore, the committee hereby recommends the appointment of Stephan W. Hamilton, CNHA, NHCG-381, for appointment as the Commercial Assessor effective July 7, 2003 at an annual salary of \$68,845.34.

Mr. Hamilton is a highly qualified Assessor and very experienced in both residential and commercial properties. As you will note from his resume, he is currently the Senior Tax Review Appraiser with the State Board of Tax and Land Appeals. In addition, Mr. Hamilton has been an Assessor as well as Vice President of an Appraisal firm. The combination of Mr. Hamilton's certifications as well as his diversified experience in the assessing profession will benefit the City in many extraordinary ways.

The screening committee strongly urges the appointment of Mr. Hamilton. I am submitting this to you on behalf of the screening committee.

Respectfully submitted,

s/ Virginia A. Lamberton
Human Resources Director

Alderman Lopez moved to nominate Mr. Stephan Hamilton for the Assessor position.

Alderman Shea duly seconded the motion.

Deputy Clerk Johnson stated we would need a single nomination from an Alderman and then there would be a motion to close nominations if the Board desired.

On motion of Alderman Thibault, duly seconded by Alderman Forest, it was voted to close the nominations.

Deputy Clerk Johnson stated normally we would call the roll and have them all take their vote of approval unless you want to have somebody make a motion for a unanimous ballot.

Alderman Lopez moved for a unanimous ballot. Alderman Garrity duly seconded the motion.

Alderman Garrity asked does this appointment lay over like other appointments.

Mayor Baines responded it will layover unless you vote to suspend the rules. We went through that with the Police Chief. If the motion could be to confirm unanimously and suspend the rules and confirm this appointment tonight the Chair would accept that as an amendment to the motion.

Aldermen Lopez and Garrity so concurred.

Alderman Shea stated as it lists here the effective date is July 7.

Alderman DeVries asked who were the three Aldermen on the screening committee.

Mayor Baines answered Aldermen Gatsas, Shea and Lopez.

Alderman DeVries asked and as part of the screening procedure I would assume there were letters of reference or something that came from past employment.

Mayor Baines answered yes.

Alderman DeVries asked does anybody have recollections. Have you heard from Londonderry?

Mayor Baines answered all I can tell you is I was briefed by the Human Resources Director that it was a very thorough screening process as I think the three Aldermen will attest to and this is a unanimous recommendation from the Board this evening.

Alderman DeVries stated it is just also a very important position for the City.

Mayor Baines called for a vote on the motion for unanimous ballot and to suspend the rules and confirm the nomination of Stephan Hamilton for the position of Assessor. There being none opposed, the motion carried.

Presentation to the UNH hockey team in honor of their successful season.

Mayor Baines stated I would like to start off tonight's very busy agenda with a presentation to the representatives of the UNH hockey team. I have asked the representatives from UNH to please join me up front along with their coach, Dick Umile. I am very pleased to welcome to City Hall Coach Umile and Mike Mounsey, a defenseman from Concord. Mike Ayers is the goalie from Hingham, MA and Lenny Gare a defenseman from Vernon, B.C.. Representing the University and also here this evening is their coach and do you have other people with you tonight that you would like to introduce?

Coach Dick Umile stated I would also like to introduce Dot Sheehan the Assistant Athletic Director of External Relations and Pete Souris our Sports Information Director.

Mayor Baines stated because Manchester is home to UNH-Manchester we feel particular pride in the accomplishments of this year's UNH hockey team. In fact, there were many City workers gathered in this room in front of a big screen TV on the day you played the national championship game. We don't want to tell too many people about that. For all of those watching at home let me point out that the employees watched the game during their lunch hour. We are pleased to have the opportunity tonight to commend you for a job well done this year. On behalf of the citizens of Manchester I would like to offer this proclamation to Coach Umile and his team:

“Whereas Manchester is a hockey town and one of the City's most valuable institutional citizens is the University of New Hampshire at Manchester and whereas combining Manchester's passion for hockey with UNH's prowess in the sport has resulted in benefits to both the City and the University, most notably the wildly successful UNH-University of Maine game this year that was held at the Verizon Wireless Arena; and whereas the reputation for hockey excellence solidified by the Wildcat performance this year that it made Manchester a natural location for the tournament action that will take place next year at the Verizon Arena; and whereas the young men before us tonight led by the legendary Dick Umile are superb representatives of the student-athlete ideal and of the University that has found a happy home here in Manchester, I, Robert A. Baines by virtue of the authority vested in me as Mayor of the City of Manchester in the State of New Hampshire do hereby proclaim today to be UNH hockey day in Manchester.”

Mayor Baines stated I call upon all of our citizens to congratulate this wonderful hockey team, this wonderful tradition and this coach that has led by example, really a role model for all in the coaching ranks not only in New Hampshire but throughout the United States. Congratulations, Coach, on a job well done!

Mr. Umile stated obviously I appreciate those kind words. I am very grateful that you all took the time to recognize our University and specifically our hockey program. We have just a few of our players here, student athletes that we are very, very proud of at UNH. The relationship that we have developed...we were very fortunate when we built the new arena, the Whittemore Center, that there were a lot of people in this room, a good friend of mine and classmate, Ted Gatsas, who helped us out and brought us over to Manchester and that was our home while they built the Whittemore Center and we developed a great relationship and I believe there is a great tradition, as we know, of hockey here in Manchester. It really grew from that point on and that is why at the Whittemore Center and wherever we go the following we see...there are so many fans and we are second to none no question in the northeast and across the country. We are very grateful for that. We love coming over here. A few of our fans back in Durham might not like to come here all the time but I can tell you when we come to the Verizon Center is a professional building and it brings the game to another level. It was an awful lot of fun with the Dartmouth game, which we play yearly and we are really excited about having the NCAA Regional Tournament here. A few of the guys are coming back next year and our goal is to again qualify for the NCAA tournament and get back to the Frozen Four and who knows maybe come back to celebrate a big victory. Again, thank you very, very much for having us here tonight.

Presentation to Manchester letter carriers in honor of their upcoming canned food drive.

Mayor Baines stated we do have another proclamation. Could Brian Houghton please come forward. Mayor Baines read the Proclamation as follows:

“Whereas this weekend marks the 11th Annual National Association of Letter Carriers Stamp Out Hunger Food Drive and whereas citizens across the City of Manchester will join with Americans across the country by placing canned goods at their doors for the letter carriers to retrieve and whereas the efforts the letter carriers will make this weekend on behalf of the less fortunate among us are merely extensions of the dedication to public service they demonstrate on a daily basis; and whereas their efforts should serve as an example to all of the necessity of giving back to the community in which they live and work I, Robert A. Baines, by virtue of the power vested in me as the Mayor of Manchester in the State of New Hampshire do hereby declare Saturday, May 10 to be the National Association of Letter Carriers Stamp Out Hunger Day in Manchester and urge all citizens of our City to participate by placing canned goods by their doors that morning.”

Mayor Baines stated congratulations to the letter carriers for this wonderful effort. I urge all of the citizens to participate to demonstrate that Manchester really reaches out to those in need in our community. Congratulations and good luck with the food drive. While we are on reaching out to the community, I had the honor to participate and the lead the walkers this weekend for the 13th Annual Walk for Hunger. Over 1,000 walkers participated in that four-mile walk and they raised a lot of money. We started out by trying to help close that deficit gap and we are very close to that and should have an important announcement about that soon as well. Again, it really demonstrates the spirit that is in this community for reaching out to the less fortunate

Review of the Comprehensive Financial Annual Report (CFAR) for
Fiscal Year 2002 by McGladrey and Pullen, Independent Auditors.

Mayor Baines stated this is going to be postponed to another date.

Presentation by Jane Beaulieu regarding Bass Island development.

Mayor Baines noted that this was a special request by Alderman Smith.

Ms. Jane Beaulieu stated I want to thank the Mayor and Board of Aldermen for allowing me to speak tonight. I am going to present a...actually I was going to do a formal presentation this time to show you what the Bass Island Preservation Project is and what we would like to do in the future. I have...let me just give you a little bit of history. I have been working on this project for about a year and a half and I have done a lot of research and I have many people who have been working with me. I have set-up an advisory board. I have a list of the Board members with me that I am going to pass out to you as well as the agenda for the first meeting that we were going to have about three weeks ago. The meeting was cancelled because of the recent commercial development proposal that was brought forward. That sort of caught me off guard. During the last six months I have been working with the Trust for Public Lands and giving them as much information as I could about the history of the property and the project and the history of the West Side. Nancy Casca and there are a few other members from the Trust for Public Lands that were actually employees. They are based out of Boston, MA. They have come down to this site at least four or five times in the last eight to nine months. They had been working with the realtor in negotiating terms for the purchase of the property. While they were doing that, I applied for an LCHIP grant for the last round, which was round four. I applied for \$450,000. As you know, we didn't get the grant but there is another grant proposal brought forward that is an EPA grant proposal for restoration of properties on the Piscataquog River. That is something that we should know about soon. Anyway, there has been more money identified. The I-93 mitigation money is available or will be available for work on the site or to assist us in purchasing it. It is second on the list for land to be protected. So we will go through this presentation and if there are any questions during the presentation please ask me at that time or we can have a minute or two to answer questions after the presentation. The proposed project protects the East portion of Bass Island, which is on the West Side of Manchester. It preserves a valuable City historic site, enhances West Side neighborhoods and engages the community. A lot of what you see here was part of the LCHIP application. This is the site plan that was provided to me by the Planning Department. As you can see Bass Island West is there. That was constructed I believe in 1996 with LCIP funds and we are looking to purchase the entire Bass Island East to be an additional green space for that area. It will be a historic preservation and land preservation project. This is the site today. It was used for the last...I

am not quite sure how many years, probably six or seven years and before Bedford Tree Service used that land it was a site of a gas station. As you can see it needs to be greened up. The blacksmith shop is 85 years old. The building is in dire need of repair. The project includes the restoration of that building for historic preservation and also it would serve as sort of a little enterprise to provide money to green up that space and also turn it into a City garden. This is a conceptual master plan that was drawn up about a year ago. The blacksmith shop remains. We are looking to put a trail around the land and also provide a little bit of parking for people who would like to use the park as well as...we are trying to minimize the parking so we have many people walking and bicycling there. That is the intent – to keep it looking the way it looks, restore it and it will just be a great addition to that side of town. We are looking to perhaps use a portion of it for a City garden center and also a museum that would house the story of the blacksmith shop. That is one of the last blacksmith buildings, well it is in the City and in the area and it really needs to be restored. The property has been identified in four of these plans and it has been identified to be a passive park. That is why I am here today because it is a passive park it is going to be for public use. It has been identified in the Manchester Riverfront Study of 1980 and the City of Manchester Master Plan in 1993 and the Riverfront Development Plan in 1999 and the recent Gateway Corridor Study in 2002. They all identify the property to be a passive park. These are two letters that I did acquire that I needed for the LCHIP application. They are both from the City. The left one is from Mayor Baines supporting the project and the right one is a letter from Mr. MacKenzie also supporting the land preservation project. These were the letters that were drawn up for the LCHIP application but it does show that there is tremendous support for this land preservation project. This is the Riverfront Development Plan and this really gives you a good idea of what the park...how the park links up to the Gateway Corridor and also links up to the Riverwalk. The far right is Bass Island and the Riverfront Development plan calls for greening of Second Street from Bass Island all the way to Granite Street and then also two, three and four are part of the trailway and number two is the Hands Across the Merrimack. I can't tell you how much we need to act on this land preservation project right now. I am looking for support from the Board and in looking at this map it really needs to happen because the West Side needs to be looked at and Bass Island can be the catalyst for the revitalization of that area. The Piscataquog River is a designated river and it was established by RSA 483, 1992 River Nomination. I met with the Piscataquog River Local Advisory Committee and they do have a letter of support that is in my file showing that this land has been identified in their management plan to be a passive park and for it to remain as natural as possible. It also makes reference to eagles that are roosting on the other side of the river and Bass Island is in their flight way. As you can see there is the trailway and Bass Island is a key component to the trailway. It is at the confluence of a designated river and the best use of it would be to green it up. The Piscataquog River corridor, Bass Island, the confluence of two rivers, a designated river...it took several years for this river to be designated. The connection of other parks like the Piscataquog River Park, Rock Rimmon, Raco-Theodore Park, Bass Island Park and the Gossler Park and then the Piscataquog Trailway. The trail is two miles from Second Street

all the way up to Goffstown. It will be the link to Goffstown and the link to neighborhoods. Bass Island Park West. Years ago I received a letter from former Mayor Mongan...actually it wasn't a letter. I did receive a letter recently from him stating that he agrees with the passive park on the other side of town but he did look at Bass Island Park or look at the plans and didn't want the park to be on that side of town or in that area because he felt that it would be in a few years degraded like the rest of the area is. Well this is six or seven years later and the park still looks like it did years ago and, in fact, the trees have matured and local neighbors use this park everyday. It is a small green space but if you drive by there you will see neighborhood people using it and riding their bikes through it so we need to just add to the passive park area in that section of town. There is an aerial view of Bass Island Park West. This is the Piscataquog Trailway. There has been a lot of community support. There have been a lot of people down there cleaning up the banks. A lot of work the work that has been done there has been for the good of the City and this is a group of City Corps members. The man sitting with them is President of the Piscataquog Local Advisory Board. You will often times see people who are involved with the rivers and with the parks there with volunteers cleaning up when necessary but we also have many students from St. Anselm's College who have outdoor education in this area. The action plan is to gain City support for land acquisition, continue partnership with the Trust for Public Lands, obtain mitigation funds (I-93 widening project), initiate capital campaign, which For Manchester is working on and preserve the entire Bass Island site. The Trust for Public Lands is ready and willing to sit down with the Mayor and Board of Aldermen and discuss how we can make this happen. It is very possible. What they need from the City is a letter engaging the conversation and negotiations. The I-93 mitigation funds are there and will be there in the future. There is \$100,000 that has been set aside from the SEP funds to assist us in purchasing the property. What I would like are some questions out there about this project and how you feel you can assist.

Alderman DeVries stated so at this point in time...there had been an ongoing dialogue with the Trust for Public Lands up until about two weeks ago it was the expectation that they were about to hand over a check to the property owner so that this land would be held in conservation until other sources of monies might be found. The difficulty being that there was some other arrangement and there is now another party that is also looking at the land. What we can do for you at this point is maybe to reopen that conversation with the Trust for Public Lands to let them know that as a City we would like to see the passive...

Ms. Beaulieu interjected I think they have been looking for that for awhile. In working on this project there are so many components to it and I have never really done this before. The process has been quite an education. The history of the land is just so amazing.

Alderman DeVries asked so if we now endorse and we have some sort of a letter and we ask them to enter in that dialogue and then what can come from there is they will either anti up with an offer that is agreeable to the property owner or they won't correct.

Ms. Beaulieu answered yes.

Alderman DeVries asked do you have something prepared that the rest of the Aldermen might look at what we might be sending to the Trust for Public Lands. We had spoken the other day. Do you have a draft that you can hand out to the rest of the Aldermen?

Ms. Beaulieu answered I do.

Alderman DeVries asked do you think you could do that so they can take a look and see how simple it is. All we are asking is for the dialogue to be opened.

Alderman Garrity asked, Jane, Bass Island West. Can you take me through the history of that? How was that purchased? Was it already City land?

Ms. Beaulieu answered it was purchased through the same process that the LCHIP application was. It was identified by Parks & Recreation to be parkland and Ron Johnson wrote a grant application and he received money from LCIP funds, which are State funds and that assisted the City in purchasing the land. I am not sure...Mayor Baines do you...actually who has been here for awhile.

Mayor Baines stated Mr. MacKenzie is the one with the history, Jane. He has been around forever.

Ms. Beaulieu stated okay. Were there City funds needed to match the LCIP at that time?

Mr. MacKenzie responded yes. I was just speaking with Mr. Clark and it was back before LCIP that the City purchased that piece. I think it was just City money. I do know there were some funds that the City did acquire to put it in a little park. It was about a \$98,000 project that created the Bass Island Park. I think Ron Johnson is here and he may remember that. I believe it was City money that purchased the former Con-Air property.

Ms. Beaulieu stated so the area was recognized to become a park and a grant application was submitted and it took a couple of years to implement the project. There were some hazardous materials that needed to be removed.

Alderman Garrity asked was Bass Island West purchased by the City.

Mayor Baines answered that is the recollection, that it was purchased by the City.

Alderman Garrity stated I didn't catch the price that it was bought for.

Mayor Baines responded we don't have the price.

Mr. MacKenzie stated I don't remember the price of the land. I do remember that we paid \$98,000 to build the park there.

Alderman Garrity asked but that doesn't include the land.

Mr. MacKenzie answered no.

Alderman Smith stated Jane you are here before us tonight for a recommendation from this Board probably to the Trust for Public Lands.

Ms. Beaulieu replied yes because they are the entity...they do this all around the U.S. What they do is their job is land preservation. They work with non-profits, municipalities and landowners to make it happen. They have identified Bass Island to be a project that they want to work on, which is quite something. Nancy, who is the contact person over there and the urban specialist feels that it is very necessary for the City and they can make it happen.

Alderman Smith asked what do you think their intentions would be if we did give the recommendation. How would they...you know would they be forward with money for the possibility of buying that land?

Ms. Beaulieu answered yes. If you sign this letter today in support they would...probably David or somebody would communicate with them and they would come down and meet with CIP or the Board of Mayor and Aldermen and discuss proceedings. You know the negotiations and how they can make it happen.

Alderman Forest asked in reference to this letter you are asking for us to approve a dialogue with the intent to purchase Bass Island. Are you asking us as Aldermen or the City to enter into a dialogue for us as a City to purchase this land?

Ms. Beaulieu answered not necessarily. No. The City does not need to purchase this property. They just need to recognize that the best use of this property is a passive park. So in negotiating what the Trust needs and they need from each city and community they work with is they need the support of the city, which is the Mayor and Board of Aldermen.

Alderman Forest stated I know I read an article last week or the week before in the *Union Leader* about you proposing a restaurant over there. Would that be considered passive for the island?

Ms. Beaulieu answered no. That is commercial. It is zoned commercial. It is commercial use so the restaurant cannot be built there.

Alderman Forest asked cannot.

Ms. Beaulieu answered cannot. The blacksmith shop will be used commercially in a way to raise funds to maintain the property. So the development is not a passive park. Basically a passive park is restore the land and to plant trees similar to Prescott Park in Portsmouth.

Mayor Baines stated I want to clarify something. Is it true that a commercial cannot absolutely be built on that property?

Mr. MacKenzie replied our staff has been in some dialogue with a perspective purchaser of a restaurant. It is zoned properly. The major question is given that it is a regulatory floodway as to whether they could meet all of the requirements of the Federal government on a regulatory floodway. I am not sure if that has been proven yet, but I would not state that it is totally impossible.

Mayor Baines stated so it is possible that a commercial establishment would be allowed on that property. I just want the record to be accurate in regards to that.

Alderman O'Neil stated Jane you have identified that the Trust for Public Lands has the money to purchase the property. Where is the money for the design and construction that we will need?

Ms. Beaulieu replied it is all in-kind.

Alderman O'Neil asked so there will be no requirement for the City to provide any funding for that.

Ms. Beaulieu answered I am not looking for any more money right now from the City. What I have from the City is \$100,000, which is a great start and what the Trust has been doing over the last probably four months is identifying funding sources that they can get for this project.

Alderman O'Neil stated you mentioned that the Trust would be responsible for the maintenance afterwards. Is that correct?

Ms. Beaulieu replied actually I am not really quite sure how it would be set-up but that is something that can be discussed with the Trust for Public Lands. Even if nothing comes from the meeting with the Trust for Public Lands except for education we need to take that time to have a dialogue. It is not going to cost the City any more money. The blacksmith shop would be set-up sort of like an Enterprise like McIntyre Ski area is.

Alderman DeVries moved to endorse the letter that has been handed out.

Mayor Baines stated let me read it.

“The Board of Mayor and Aldermen approve the decision to meet with the Bass Island East property owners, James McDowell and Carl Netsch, the Trust for Public Land and FOR MANCHESTER to enter into a dialogue with the intent to purchase Bass Island East for public use.”

Mayor Baines stated I would suggest that that meeting take place with the Lands & Buildings Committee.

Alderman DeVries moved to approve the decision to meet with the Bass Island East property owners to enter into a dialogue with the intent to purchase Bass Island East for public use and to refer this item to the Committee on Lands and Buildings. Alderman Smith duly seconded the motion. Mayor Baines called for a vote. The motion carried with Alderman Forest being duly recorded in opposition.

Mayor Baines stated we are now going to address Item 15 of the agenda and have a presentation on the Senior Center.

Communication from Alderman Gatsas to Mr. MacKenzie requesting a report on the senior center project.

Mr. MacKenzie stated I am going to give you the initial overview. This presentation was requested by the Board and we will try to make it a fairly short presentation and allow time for questions. Just briefly, the Board has approved the site selection adjacent to the West Side Community Center. The Board has authorized to date \$2.575 million for the construction of this project. The City has acquired all three parcels that were needed to be acquired for the project and we did want to thank the Solicitor's Office in working through that process. Who is involved in this project? Right now there is a special building committee, which includes several City staff members involved in the different parts of it. Also, Barbara Vigneault is here. She is the Director of Elderly Services and is on that committee. She has been working on the programming parts of it. Tonight we have Dennis Mires, the selected architect who is working on the project and he will take a little bit of time to walk through the design process and the proposal. Finally, we have Mr. David Nixon. I would perhaps like to have him give a few words. He is the Chairman of the fundraising committee. In talking about the fundraising, the estimated budget was originally somewhat over \$3 million. I believe the number was \$3.4 million. The latest estimate that we have come back with based upon the proposal as you see it tonight is \$3.6 million. So it is a little bit higher than was discussed. We may have to go back with the committee and look at how we can pare that back by \$200,000. Part of that may depend on how successful the fundraising efforts are. They are just getting underway and we may not know for a couple of months how much they will be able to raise. The timeline can be fairly short. The design

process has gone fairly well. The design documents can be done in the next few weeks and the project can go out to bid as early as the first week in July. It would be roughly a one-year construction schedule. At this point I would introduce Dennis Mires of Dennis Mires Architects and he is going to run through the parameters of the project.

Mr. Dennis Mires stated I apologize to the audience that you can't see what we are proposing. To refresh your memory the site is over on the West Side on Main Street and Douglas Street. There are currently three residential properties on the site that have been acquired and will be demolished to make way for this project. As many of you know the sites flow pretty dramatically from a high point up at this end of Douglas Street towards Main Street. In fact, it is adjacent to the existing elderly center and West Side Branch Library. Any of you who have visited recall the retaining wall that runs along the back parking lot. We recognize that this is a much higher grade than the grade of the existing elderly center. There were a couple of goals in achieving the design on this particular site. One was to make a connection to the existing center so that there could be joint use between the two facilities. The other was to preserve a historic Elm street at the high side of the site. Of course the other was to maximize the program. As we combine the two East and West side elderly centers we are projecting a program of 15,000 square feet and in this particular case it will be on two floors taking advantage of the sloping site as it slopes from upper Douglas Street down to Main Street. The main features of this site include an on grade handicap access to the connection that connects the existing center with the proposed center. This is the new center. It is 15,000 square feet on two floors. In addition to the building we have provided on-site parking for 55 cars. It has an in and out circulation so we can accept bus drop-offs and handicap parking and we can accept bus drop-offs from the Main Street bus stop that currently exists in front of the West Side Center. Because of the grade difference we are entering on grade from Main Street approximately half a level between the two levels of the proposed facility and the same level as the existing main floor of the West Side Center. So that puts us on grade to the upper level from parking so we have an on grade handicap access from the on-site parking and an on grade handicap access from Main Street. The floor elevations are handled with an elevator in the connecting link. To give you an idea of the program, we enter off of parking into a lobby with a large reception desk and administrative offices behind the desk. There is a direct connection to a large meeting hall that can be subdivided in two. To give you an idea of the scale of this hall it can comfortably seat 300 for a sit down dinner and twice that for theatre style presentations. It has the ability to be broken down. The kitchen is directly off the multi-purpose room. It has adequate toilet rooms and many of you will notice the women's room is much larger than the men's room in size. That is to accommodate not only the new code but the user population for this age group. This is the elevator and our connection to our lobby that connects to Main Street as well as the existing center as well as to parking behind the existing center. We go down the stairs or the elevator to the lower level, which adds multi-purpose spaces, craft spaces, and computer spaces that can all be subdivided or opened up. This could be one large space for a particular presentation or activity or two spaces for a multi-purpose use. If we close all of

the movable partitions, we wind up with eight different activity spaces of significant size in the center. The four toilet rooms support administration on the lower level. These are just some elevations that show the one-story elevation from parking, the access between our new building and existing building from Main Street. This is the south elevation as the grade slopes down on Douglas Street. This is an elevation looking from the corner of Douglas and Main Street towards the existing senior center. This is our connecting entrance that is off of the existing bus stop and as Main Street slopes down to the corner of Douglas Street we get full windows across the lower level and of course windows around the upper level. The concept as the design evolved was to be sympathetic to the existing building but to break down the scale by using not only brick but clapboard and connecting elements much like the various materials that are present in the existing residential neighborhood on the West Side. Asphalt shingle roof, pre-finished windows and a retaining wall or two to retain access and windows to the lower level. We also have a model that is basically a study model that was used in evolving the design. The elevation you are looking at from this side is from parking, our illustrious retained historic Elm, on grade access to the upper level and then if I can turn this around without dropping it this is the view from Main Street and our rendering that is behind me looks from a view something like this. The rendering is a little more defined as the design has evolved from this original study model. As part of the fundraising effort we are not only going to use the rendering but we will be developing a more finished presentation model for that effort. That is a quick summary of what the building is and where we are and I will be available for questions.

Mr. MacKenzie stated I would like to perhaps have Mr. Nixon come up and just say a couple of words about the fundraising effort and then the staff will be available to answer questions.

Atty. David Nixon stated good evening ladies and gentlemen. I will be brief because I know you have a lot of work to do and you don't want to listen to eight or nine more presentations. It is nice to be here. Actually I have been with most of you over the last couple of days. Mike Lopez and Mr. Smith. I saw Henry at the Legion tonight and I had a breakfast with Armand this morning. I saw Ted Gatsas at the Senate. Mr. Moquin hit me up for a ticket to David's testimonial. I buy all my make-up from Mary Sysyn and Ed Osborne was telling me about putting the senior center on the West Side and of course Real Pinard will be at the Crime Line tomorrow morning at 7:30 AM and Danny is another Senator. I had some fun in the Senate back when most of you were in junior high. It isn't much fun up there anymore. I got into this thing because I did what we learned in the Army never to do. I called up and made a suggestion to the Mayor that since as I read in the *Union Leader* there isn't going to be enough public money to really do a nice job on the Manchester Senior Center that maybe this is something that the City could unite around as this country united around World War II. As a matter of fact I still have my Eisenhower medal for collecting five hundred pounds of waste paper in April of 1945. If you recall what the spirit of this country was at that time collecting aluminum, oil, string, knitting afghans, knitting mittens, 10 cent books of saving stamps, savings bonds, war bond rallies...it was a great time. Manchester has gotten back to

that spirit. I got here in 1958. The sidewalks were shoulder to shoulder and the streets were bumper to bumper. Those were great days and Manchester is coming back to that. I don't know whether it is the Verizon. I don't know whether it is the Riverwalk. I don't know whether it is this Administration or previous Administrations and I don't really care. That is politics. I said to Mayor Baines this is something that maybe some private citizens would like to get involved in and be a part of because all of us are going to graduate to senior status at some time or other and I hate to be a lawyer quoting the bible but the bible does say in Psalms Chapter 76, Verse 9 "Cast me not off in the time of old age, forsake me not if I should fail it." Senior citizen centers are important all across the country. I think Manchester has an opportunity to have the best one around. So, I suggested that to the Mayor and the next thing I know I found out at Sweeney Post one night from Alderman Smith that I was the Chairman of this committee. I have to tell you that I have been raising money for various charities like you have for a lot of years but I have certainly never been in charge of one of these things and it is a daunting task. There is a community consciousness – the Verizon thing, the baseball project, school improvements...you know this City is really on the move and all of you should share in the credit. I have to tell you that I was in the House and the Senate for 27 years and I admire you for coming to these meetings night after night and listening to people like me tell you about their particular plight. You have 1,000 of them. The measure of society in my belief is how it treats its young and how it treats its elderly. We have retained Carolyn Benting who they tell me is the guru of financial planning, organization and fundraising. We hope like heck we don't have to come back to you folks and ask for more money because I know you don't have it. I know what you do have you have already pretty much committed. I do want to keep you informed as we move along. Carolyn is developing a plan and it will involve the Mayor, myself and her going around to the major institutions with our hat in hand asking them to make a donation. I am pleased to report that the Manchester Rotary Club has already given a preliminary indication that it will commit to a pretty substantial sum and our thanks go to them. Louis Craig volunteered with Tom King to do a golf tournament. There are already people who have indicated that they are willing to help. We hope to get this effort done quickly and I hope by the end of the year we have some good news for you. I know that you want this to be a senior citizen center that you will be proud of every time you drive by or go in. With that in mind, thank you for your courtesy. I am sorry to take so much time. Thank you again for your courtesy.

Ms. Barbara Vigneault stated I appreciate Attorney Nixon's involvement and stepping up to the plate to help raise funds in the community and they tell us that if anyone can do it, Atty. Nixon can do it and I want to thank him publicly for joining the force and doing that.

Mayor Baines stated I want to share a very brief personal story about Dave Nixon. In 1966 our family was faced with a very difficult situation that emerged and Atty. Nixon was there for me and my family and I perhaps would not have finished college when he came to the assistance of our family in 1966. He has been a dear friend for the past 27 years...actually

longer than that, 37 years and when he called me and said he would get involved in this project I knew first of all that we would have success with it because of his determination and the respect that he can garner in the community to make this a reality. I want to thank Dave for once again coming to my assistance. Not as critical a time certainly. The dimensions of that perhaps pale in comparison to what is happening today. I want to thank you very much on behalf of the community for taking on this awesome responsibility and thank you for your friendship as well.

Alderman Gatsas stated Mr. MacKenzie you talked about the project now being \$3.4 million. How do we propose to get this in line so that it is within the number we talked about because I certainly don't want Atty. Nixon to have to work any harder at his task than he is now? It seems as though you are putting an extra rock on his back for him to carry.

Mr. MacKenzie responded we have identified some potential cost savings. For example, one of the larger single expenses in the building is a full commercial kitchen. In the past we have had cooperation with St. Joe's in the Meals on Wheels program but we would look to see if...and that is close to \$100,000 so there are specific cost savings we could do. The building is actually slightly bigger than we had originally anticipated but again we would like to see how the fundraising goes before we make perhaps some of those final decisions. If we can get the fundraising we have an ultimate goal that is as you see it tonight.

Alderman Gatsas asked how much do we have in contingency for this project.

Mr. MacKenzie answered I believe \$100,000...\$113,000.

Alderman Gatsas asked with all of the projects we have been looking at isn't that a very low number for contingency.

Mr. MacKenzie answered that number is about 5% of total construction costs. The land acquisition was about \$770,000, the construction on the building would be somewhat over \$2 million so the contingency is 5%.

Alderman Smith asked what is the need for the commercial kitchen over there. I don't think that St. Joseph's cooks meals do they?

Ms. Vigneault answered they have the meals brought in.

Alderman Smith asked is there a need for a commercial kitchen though.

Ms. Vigneault answered the kitchen is going to be set-up without some of the commercial properties but it is going to be prepped for such to be put in at a later time.

Alderman Shea asked could you run through again when the project is supposed to start and how long it is going to take and when it will be completed.

Mr. MacKenzie answered the bid package and I would probably have that confirmed by Mr. Mires, should be complete sometime this month with bid advertisements the first week of June and the bids due the first week of July. The construction period on this project would be 12 months.

Alderman Shea asked and all of the money is available to complete the project or are you still in need of additional funding.

Mr. MacKenzie answered there is money needed to complete the project and that is part of the reason for the fundraising effort.

Alderman Shea asked will the project start before you have enough money to complete it or are you planning on starting it with the assumption that people who are involved will raise enough money so it will...

Mr. MacKenzie interjected when we actually get the bids back from the contractors it would probably be appropriate at that time. That would be roughly in the first week of July. We could come back with some decisions and contingency plans. We have looked, for example, at perhaps not finishing one of the floors if we don't have all of the money. I would not want to start the project and give a go on the entire project unless we had money in hand to do the project. We would have to have contingency plans to deal with it if we did not have the total budget number closed by that first week in July.

Alderman Shea asked did you say that you would...I am not quite clear did you say that you would build one floor but not the other floor or did you say that you...

Mr. MacKenzie interjected in essence we could have a contingency plan where the shell is totally enclosed and all of the mechanicals in but for example the bottom floor would not be finished with flooring or wallboard or equipment or furnishings. In essence, it would be ready to be finished at a future date but one floor would not be finished.

Alderman Shea asked if that were the case would the seniors be allowed into the part that was finished or would they not...

Mr. MacKenzie interjected yes they would be.

Alderman Thibault asked can somebody explain to me the reason for five offices in this building. There seems to be five offices marked on the plan here. Can somebody elaborate on the need for all of these offices?

Ms. Vigneault answered we currently have four staff people and two senior employment people working in the department. There is also a site coordinator for the meal program.

Mayor Baines asked so it is for privacy in meetings with the different people that they would be dealing with, Barbara.

Ms. Vigneault answered yes.

Alderman Lopez stated I would just like to compliment the people on the committee who put everything together and I am sure Mr. MacKenzie's remarks as we go along if we have to do it in two stages that is fine you know and we won't get there until July so I think we ought to move forward.

Alderman Pinard asked how many parking spaces are you going to have at this place.

Mr. Mires answered 55 on site.

Alderman Garrity stated, Bob, you said it is \$3.6 million for this current design.

Mr. MacKenzie responded that is the first cut from the architect. We have not, as a group, had the chance to go back through and look at cost savings but that is the cost estimate for the ideal program.

Alderman Garrity asked how much was the bond for.

Mr. MacKenzie answered the bond we have currently is \$2.57 million.

Alderman Garrity stated so we are approximately \$1 million short.

Mr. MacKenzie answered yes.

Alderman Osborne asked were the monies appropriated for the demolition of these three properties that you are going to consume.

Mr. MacKenzie answered the budget estimate includes all costs for demolishing those buildings.

Alderman Osborne asked was this in the beginning.

Mr. MacKenzie answered yes.

Mayor Baines recognized the Clerk.

Deputy Clerk Johnson stated there is a committee report from the Committee on Lands & Buildings that is coming out of committee this evening, which was distributed to the Board. The architect in this instance happens to be the same architect that is sitting in front of you so we sort of figured we would take it up while he is still here in case there are questions. I believe Mr. Ludwig is also here if there are any questions.

A report of the Committee on Lands and Buildings was presented recommending that the proposed site selection #4 as enclosed for the maintenance garage at Derryfield Country Club be approved. The Committee notes that should the Parks, Recreation & Cemetery Department not be able to mitigate any opposition presented by abutters at a future meeting with the same, the matter shall be returned to the Committee on Lands and Buildings for further review. The Committee additionally notes that it has requested the architect to produce more defined information for the abutters at a meeting to be held in the near future.

Alderman Thibault moved to accept, receive and adopt the report. Alderman Garrity duly seconded the motion.

Alderman O'Neil stated I came in to the meeting a little late but I came in to the Lands and Buildings meeting as they were taking the vote. If there is a mechanism...there appears to be no mechanism to come back to this Board if there are issues with the abutters and I am a little concerned about that. If we approve it...

Deputy Clerk Johnson responded perhaps we could ask the Parks Department to submit a report based on the comments of the abutters at that meeting to the Clerk's Office for distribution to the Board members and we can determine at that time if it needs to go back to Lands and Buildings.

Alderman O'Neil stated my concern is if we vote tonight are we approving it and do they get started in moving it.

Mayor Baines stated somebody needs to address these issues.

Mr. Ron Ludwig responded I am not sure where to go with this actually. Again, we will be dealing with abutters a week from Thursday, on May 15. All we can say is we would come back if there were significant comments raised relative to the position of the building. We know that the way the process has gone we kind of have the cart before the horse but we are trying to move along quickly but certainly not in a manner that would be offensive to neighbors either.

Alderman O'Neil replied I agree that the cart is before the horse. I don't know what the mechanism is if there are issues with the abutters when they haven't met with them.

Alderman Shea asked why don't we approve it predicated on the condition that the abutters don't object. If the abutters object then you come back and you explain that they objected and then we would have to amend it accordingly, your Honor. That seems logical, doesn't it?

Mayor Baines called for a vote on the motion. There being none opposed, the motion carried.

CONSENT AGENDA

Mayor Baines advised if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Minutes Accepted

- A. Minutes of meetings held January 21, 2003, February 4, 2003 (two meetings), and February 10, 2003.

Approve Under Supervision of the Department of Highways

- C. PSNH Pole Petition #11-980 located Carpenter Street
PSNH Pole Petition #11-977 located Bodwell Road
PSNH Pole Petition #11-978 located on Shasta Street

Informational – to be Received and Filed

- D. Communication from Marjorie L. Corby urging the Board to pass the Design-Build project.
- E. Minutes from the April 3, 2003 Piscataquog River Local Advisory Committee meeting.
- G. Copy of a communication from NH Department of Transportation, advising of contemplated awards.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

- I. Amending CIP Resolution and Bond Resolutions relating to FY2004 projects recommended to be expedited:

“Amending the FY2003 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Eleven Million Four Hundred Thirty Four Thousand Twelve Dollars (\$11,434,012) to provide for expediting of various FY2004 proposed CIP projects.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Five Hundred Fifty Thousand Dollars (\$550,000) for the 2003 CIP 511603, Recreation Facility Improvements (Leveraged) Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million One Hundred Twenty Five Thousand Dollars (\$2,125,000) for the 2003 CIP 713703, City Motorized Equipment Replacement Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million One Hundred Twenty Thousand Dollars (\$2,120,000) for the 2003 CIP 713803, Major R.O.W. Improvement Projects.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Five Hundred Twenty Five Thousand Dollars (\$525,000) for the 2003 CIP 713903, Municipal Infrastructure Program.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Three Hundred Fifty Thousand Dollars (\$350,000) for the 2003 CIP 714003, Notre Dame Bridge Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Eighty Five Thousand Dollars (\$285,000) for the 2003 CIP 811203, City Space Improvements Project.”

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT & REVENUE ADMINISTRATION

- J.** Advising that it has accepted the City’s monthly financial statements for the nine months period ending March 31, 2003 and is forwarding same to the Board for informational purposes.
- L.** Advising that it has accepted the following Finance Department reports:
 - a) department legend;
 - b) open invoice report over 90 days by funds;
 - c) open invoice report (all invoices for interdepartmental billings only);
 - d) open invoice report (all invoices due from the School Dept. only); and
 - e) listing of invoices submitted to City Solicitor for legal determination.

COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM

- M.** Advising that it has reviewed the FY2004 CIP projects requested to be expedited, and has submitted recommendations to the Committee on Finance. The Committee notes that for such purpose resolutions have been submitted to the Board for referral to the Committee on Finance.

COMMITTEE ON LANDS & BUILDINGS

- (Note: referral of related ordinance to Committee on Bills on Second Reading)**

- O.** Recommending that the Board of Mayor and Aldermen find property located at 628 Hanover Street surplus to City needs and further that:

In accordance with RSA 80:80 the Mayor be authorized to dispose of certain property situated at 628 Hanover Street known as Map 314, Lot 37 by executing deeds releasing all rights, title interest, or claims in said property subject to conditions. Said property formerly owned by Ronald J. Gagne and Real P. Gilbert, was acquired by the City of Manchester by virtue of Tax Collector's deed dated August 18, 1999 and recorded in Hillsborough County Registry of Deeds on August 21, 1999, in Volume 6146, Page 1801.

The Committee advises that it finds just cause to dispose of such land through sale to Southern New Hampshire Services, Inc. subject to conditions because such disposition will provide for up to 30 units of affordable elderly housing which is critically needed in the community. The Committee recommends that the sale be conditional upon the property being developed within a reasonable period of time to be set by the City Solicitor; such development to include up to 30 units of low-income, HUD Section 202 or equivalent, housing for elderly persons. The Committee recommends said property Map 31, Lot 37, be disposed of through sale to Southern New Hampshire Services, Inc. with said conditions noted herein, for the amount of not less than \$150,000, a value deemed reasonable by the Board of Assessors.

The Committee further recommends that the Tax Collector and City Solicitor be authorized to proceed with disposition and prepare such documents as may be required, and that the Finance Officer be authorized to credit tax deed accounts as deemed necessary. Pursuant to statute requirements, enclosed is an ordinance recommended for referral to the Committee on Bills on Second Reading.

HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN O'NEIL, DULY SECONDED BY ALDERMAN SHEA, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

Mayor Baines stated we will now move to a presentation by the Fire, Health and Police Departments regarding Homeland Security. There are several handouts that you should have received this evening that I received today from the U.S. Conference of Mayors regarding different funding opportunities that are available. There is also a live Webcast tomorrow at 4 PM on USMayors.org explaining about community oriented policing service program (C.O.P.S.) and how we are able to access some money. I just talked to the Chief about that a little while ago. We will be reviewing that tomorrow to provide some resources for the community. I also talked to Deputy Commission John Stephen today and he is going to be holding a forum here in Manchester in the near future on Homeland Security issues and dollars and how Manchester can access those dollars to help us with Homeland Security issues. I will now turn it over to Chief Kane for a presentation.

Chief Kane stated we hope to be brief tonight. There were some questions that came up in past meetings in regards to Homeland Security and we thought that we would come here this evening and answer any questions the Aldermen may have in regards to Homeland Security and we have a brief presentation. We also have handouts for your and if you don't get your questions answered tonight please feel free to call us anytime and we will directly answer your questions. First I would like to have Fred Rusczyk go over health.

Mr. Fred Rusczek stated certainly after September 11 the Federal Government through the Center for Disease Control and Prevention developed funding to improve community's capabilities to respond to bioterrorism and other public health issues. We received a substantial amount of money for the current fiscal year. This is not money that falls under the Homeland Security act, but money that falls under the Kennedy-Kasselbaum bill for public health preparedness. The funding allowed us to establish a health alert network, which insures rapid communication on public health issues and outbreaks with community healthcare providers, the state and the federal government. We work closely with Police and Fire in that area. It also provided bio-terrorism and public health preparedness money to do planning and to do other things such as set-up rapid surveillance systems. We now monitor daily what happens in the local hospitals in terms of the sort of illnesses that show up in emergency rooms so that we can track what is happening in the community. On the second page of the handout I provided a brief overview that I won't read but I will just highlight a couple of the 16 points of progress that we have made over the past year. Some of them are that this country was in a position where it needed to be prepared to respond in case there was the use of the Small Pox virus as a bio-terrorism agent. We have done that. We have Health Department staff, as well as many others in the community who are vaccinated against Small Pox and ready to respond. We have used this funding to also support our response for the recent SARS epidemic. We were also fortunate in getting a little bit of funding to pay some of the post 9/11 costs in terms of reimbursement. In this year we also got \$100,000 for a shared piece of apparatus with the Manchester Fire Department that will allow us to detect what chemicals might be in any air sample that we decide to take. This funding is for more than just Manchester. Since the State is broken down into hospital service areas, the money that we get and the programs that we do cover others in the hospital service area and they are identified on the first page of the handout. We also cover the Manchester Airport for issues such as SARS even though that is outside the hospital service area and is located in Londonderry. That is a very quick overview. We are not anticipating the same amount of money next year because some of the funds that we received were for equipment and facility costs. We are going to be able to cover some of the costs associated with the construction at the Rines Center like negative pressure and clinic rooms and a biohazard lab and storage for our vans and what have you.

Chief Jaskolka stated essentially the money that we have received thus far only deals with equipment. We have just been awarded a combined grant in the amount of \$61,050. This is Phase II of a first grant that we got for equipment. The first phase was approximately \$17,000 and that was used to purchase protective suits, gas masks and gloves and a container to put them in. These were all placed in the cruisers out on the streets so each car at least had a protective suit. The second phase of this grant, the money we just received, is going to purchase the same equipment, the gas masks, protective suits and gloves for each individual officer so when they do show up at a scene or are called in if the equipment in the car is gone they are going to have their own set of equipment. We recently met with Chief Kane regarding the 2003 grant that he will discuss shortly. What we will be applying for as part of

that grant will be physical security enhancement equipment, in other words security for our building itself. Again, we will continue to monitor the Homeland Security money as it comes in to see what we are able to apply for.

Alderman DeVries stated I am trying to look at a couple of different handouts here so I may have missed your presentation but in the current round of grants that you are applying for you indicate that for the Police Department there is an APR in Level B1 officer for \$23,600 that you will be applying for if I am understanding this correctly. Did you address that?

Chief Jaskolka replied I am not sure what you are looking at.

Chief Kane stated that is my handout.

Alderman DeVries responded it just says Police Department on it so I...

Chief Jaskolka interjected that is the \$61,050.

Alderman DeVries asked so that is included in a grant that you previously applied for.

Chief Jaskolka answered yes it is. That is the grant that we just received or has been authorized.

Chief Kane stated one of the things that I wanted to make a little clearer is that there are different grant monies here. The Health Department receives CDD grant money. The Police Department receives DOJ money and those are a little bit separate from Homeland Security. Homeland Security money comes down from an organization called FEMA and that comes through the Office of Emergency Management in Concord down through the Mayor's Office here. The portion that the Fire Department deals with and is dealing with it because of emergency management is the first phase of what we call Homeland Security. If you look at the handout and the letter from Richard Flynn it deals with a block grant of \$5 million. That block grant has been broken out to the cities and if you flip over the next page you will see that the City of Manchester is going to receive \$249,000 of that block grant to be distributed citywide. That block grant has just been requested. The due date for getting it requested is June 1 and the Mayor has signed a letter requesting that money to come to the City. There are several grants that we will be looking over and prioritizing from different departments in the City to apply that money to. The second document handed out was what can you apply that money towards – what kind of equipment and programs. There have been some comments and questions about whether we could apply that to what I would call operational costs. It can be applied towards equipment that basically we don't have right now. Like Fred it would have to be equipment that we could utilize in our mutual aid agreements.

Mayor Baines stated in talking to Deputy Commissioner Stephen today it is stressed that there really needs to be a City wide plan that is presented; a very comprehensive plan to access these dollars so that is something we will have to work very hard on in the next couple of weeks.

Chief Kane responded that is correct. I have been in contact with the Mayor's Office and the grant coordinator regarding developing this plan.

Mayor Baines stated this is actually only the first round of funding. They are expecting very significant dollars to be coming to the State in the next round of funding associated with Homeland Security. This is really just the beginning of the effort of the Federal government to respond to the local communities so we are very pleased about that.

Alderman Lopez stated as we go along through the process maybe some simple thing would be as you get the money you could keep us abreast as to what you spend it on so we can notify the public also.

Chief Kane responded I think what we should do is once we develop a plan...once we get approval to spend the money we can develop a plan and submit that to the Board so they can see what we are doing.

Alderman Shea asked the money that comes in, your Honor, does the Board of Mayor and Aldermen have any authorization over this money or is it simply given to the departments and the needs that they have they express. I am not sure...

Mayor Baines interjected, Kevin, could you just clarify in terms of grants coming in the process of us receiving grants and what is followed in terms of making sure that we are operating properly.

Mr. Kevin Clougherty stated as you know, Mayor, the basis for that is the CIP resolution. It allows us the flexibility to the extent that we know we are going to receive a grant during the period it is included in the plan that is presented to the Board. In the event it comes in an unexpected nature it has to be received by a vote of the Board at which time it is assigned with a start-up form as any other CIP project, with an administrative agency assigned the responsibility of that department to carry out and meet the requirements for reporting. We report on a quarterly basis the balance of all of those grants to the Committee on Accounts and to the Board.

Mayor Baines asked so when the grant funding comes in it would come first to the Committee on Accounts or to CIP. How would that work procedurally?

Mr. Clougherty answered it goes to CIP.

Alderman DeVries stated Chief Kane and I have had a couple of conversations and I would like to try to clarify this. The grants that we have before us are basically reimbursement for expenditures that have already been made by the City in response to Homeland Security issues and there was a specific timeframe for those expenditures. You were saying it was when we went into the Orange Alert mode in our conversation earlier. Is that a different grant than the one I have before me tonight?

Chief Kane responded that is an entirely different grant that I just got notification on today and I think the Mayor got notification today in regards to that and that is for some reimbursement for some monies that were expended by the City when the City was on high alert.

Alderman DeVries asked so the equipment list and monies detail that we have before us tonight is a wish list for security needs basically that the City will have to respond to the critical infrastructure protection issues. I am just making sure that my thought process is correct. It is not already dedicated or expended items but it is a wish list as well of what you need?

Chief Kane answered yes and that hasn't been fully developed yet.

Alderman DeVries replied I understand that. I guess my question is...is this also going out to Water Works because I am sure Water Works has critical security issues and it must be going to the Airport for reimbursement for some of the expenditures they have made for security improvements. I also know that for your department, as well as for Police and discussions with Red Robidas, the Security Officer for the City that there are multitudes of needs for protection that are very expensive for Fire, Police and other vital structures. Is that all going to get rolled into this?

Chief Kane responded yes. It is a Citywide program and we have been...we have already been talking to all of the City departments. The Airport has their own program so they are not really part of this. They have an ongoing program through the FCC and Water Works has an ongoing program through their organization. We have been in contact with all City departments with regards to this funding.

Mayor Baines stated and again we will be having a forum in Manchester. I forget how many regional forums they are going to be doing but they are doing one just in Manchester and when that occurs we will make sure that the Board members are aware of it and can attend if they wish.

Alderman DeVries replied I understand and I also know that it is a very aggressive timeline that they are trying to expend monies within so I just want to make sure that everybody who needs to be on top of this is.

Mayor Baines responded I can assure you that they are very well informed. They get copies of everything that I receive, both from the Federal government, from the Conference of Mayors...

Alderman DeVries interjected and you will be sending us a copy of any of the preliminary lists that you come up with.

Chief Kane answered yes. We have been working on this since last fall.

Alderman O'Neil moved to allow the departments to apply for the grants. Alderman Pinard duly seconded the motion. Mayor Baines called for a vote. There being none opposed, the motion carried.

Mayor Baines stated I was informed by Mayor Menino yesterday that he has appointed me to the Homeland Security Task Force for the US Conference of Mayors and I will be working with Mayor O'Malley, the Mayor of Baltimore who is the Chairman of that Task Force to make sure that our City has access to all of the dollars that are available. I was very pleased to receive that appointment yesterday from Mayor Menino. Thank you very much for your presentation.

- B.** Communication from Frank Thomas, Public Works Director, requesting the Board's approval to accept funds in the amount of \$45,000 from Verizon Corporation for their share of the construction staging on the Notre Dame Bridge.

Alderman Smith stated I have some questions and I was wondering if I could refer this to the Clerk.

Deputy Clerk Johnson stated this item is also contained in an amended Resolution that is going to come up later this evening. Also, there is a reference in that letter, which is not noted in here with regards to a conduit and there will be people hanging off the bridge to put the conduits in and part of this motion would be to allow that portion to proceed as well under the supervision of the Highway Department.

Alderman Smith moved to accept the funds and remand for the purpose intended and to authorize the installation of the conduit on the bridge under the supervisor of the Highway Department. Alderman Wihby duly seconded the motion.

Alderman Guinta asked could the motion be repeated please.

Deputy Clerk Johnson answered the motion would be to accept the funds and remand them for the purpose intended, which will also show up on the Resolution later and to authorize the proceedings of the conduit going across the bridge. They will be reinstalling those. We license people to do that. There is a pole petition license that is submitted normally. This is part of that process as well.

Alderman Guinta asked where are we at this point with that.

Mr. Kevin Sheppard stated I am not too sure...as far as construction goes, Verizon approached us because they want to share the staging that our contractor is using on that. They proposed what we feel is an acceptable amount, \$45,000 for the sharing of that staging. It is our contractor who actually contracted them to put their conduit back on the bridge so there was a savings to Verizon. Are you looking at the construction? We are looking to finish construction hopefully sometime in the next couple of months but then there is going to be painting of the bridge and we feel that is going to go beyond July.

Alderman Guinta asked is there an expectation as to who is going to be funding the completion of this.

Mr. Sheppard answered we have funding for this project - \$1.3 million which is needed to repair the bridge and paint that stand. Verizon will be funding the replacement of their conduit.

Alderman Guinta asked so we are funding \$1.3 million.

Mr. Sheppard answered right for the repair of the bridge and the painting of the bridge.

Alderman Guinta asked are there any other issues.

Mayor Baines answered other than the issue with Verizon, which is still in conversation. Tom, do you want to comment on that?

Solicitor Clark stated I had a conversation with our adjuster today. They went back through all the engineering details of the vandalism and the fire. We have had it reviewed by our outside legal counsel that does insurance work for us and they have again filed a second claim with AIG, who is Verizon's insurance carrier and they are awaiting a response. They are going to double-check on that tomorrow and find out when we are going to get a response.

Alderman Guinta asked when was that claim filed.

Solicitor Clark answered two weeks ago the second claim was filed.

Alderman Guinta asked what happened to the first claim.

Solicitor Clark answered they had given us indications that they weren't going to pay and they wanted more information. We provided more information to them.

Alderman Guinta asked so they gave us an indication or they denied the claim.

Solicitor Clark answered they have not denied the claim yet. We have received no written denial from them at this point.

Alderman Wihby stated I talked with Tom today because I talked to Mike Hickey at Verizon this afternoon and he told me that as of today there hadn't been a claim put in.

Alderman Guinta stated he told me the same thing.

Solicitor Clark responded the claim has been filed directly with AIG out of Boston. It may not have gone to Verizon headquarters. It went to their insurance carrier. We will check on that tomorrow. The counsel who did it was in court today. If it hasn't gone to Verizon we will have it forwarded to Mr. Hickey.

Mayor Baines called for a vote on the motion to accept the funds and remand for the purpose intended and to authorize the installation of the conduit on the bridge under the supervisor of the Highway Department. There being none opposed, the motion carried.

- F.** Communication from Karen DeFrancis, Manchester School District submitting a copy of the formal resolution for Expendable Trust Funds adopted by the Board of School Committee.

Alderman Shea stated I believe this is in regards to a communication that we received from Karen DeFrancis submitting the formal resolution for Expendable Trust Funds adopted by the Board of School Committee and I wondered, your Honor, if...I am looking for I guess the insight of our City Solicitor in terms of can they establish trust funds on their own. Is that possible? Do they have that prerogative or do they have to have our approval to do that?

Solicitor Clark responded our understanding is that the City is going to have to authorize it and it probably should be referred to the Committee on Accounts for some work.

Alderman Shea moved to refer this item to the Committee on Accounts, Enrollment & Revenue Administration. Alderman Lopez duly seconded the motion. Mayor Baines called for a vote. There being none opposed, the motion carried.

- H.** Petition for rezoning of Map 756, Lots 12 and 14 submitted by Attorney Callaghan on behalf of 1250 South Willow Street Realty, Inc.

Alderman Wihby stated the Clerk says we can have a public hearing on May 28 at 6 PM. Along with referring this to Bills on Second Reading I would like to set the public hearing for May 28.

On motion of Alderman Wihby, duly seconded by Alderman DeVries, it was voted to refer the rezoning petition to the Committee on Bills on Second Reading and to refer the petition to a public hearing to be held on Wednesday, May 28 at 6 PM in the Aldermanic Chambers.

- K.** Report of the Committee on Accounts, Enrollment & Revenue Administration recommending that accounts receivable write-offs for the third quarter of FY2003 as enclosed be approved.

Alderman Smith stated in regards to the write-off submission I would like to go down...I was hoping that HR would be here. It says School Administrative Unit #37 and it says "City Solicitor determination". There is an amount owed of approximately \$16,000. I wanted to know if I could get a clarification on that.

Mr. Clougherty responded this is a bill that was part of a chargeback to the School District. You may recall that when the City and the School District made their agreement to the court we said that we would not charge them for administrative services such as the Finance Officer's time, HR Director's time and so on. This particular bill to the School District goes back a little bit and relates to services that Red Robidas provides, which is more of a security than an administrative service. The School District had paid that in the past and it was our feeling, the Finance Department's feeling, that perhaps we could go forward with that. Just because the function is carried out in HR doesn't mean that they fall under that umbrella of administrative service because of the unique nature of it. It was referred to the City Solicitor's Office and the Solicitor, I think, gave the opinion at the meeting of the Committee on Accounts that they felt it should be included in the broader interpretation and for that reason their recommendation was that it should be written off.

Alderman Garrity asked, Kevin, did you say that because it is an HR function we can't chargeback.

Solicitor Clark stated I can help you with that. It is not that it is an HR function. As you know the settlement agreement between the City and the School District called for all chargebacks to be processed through a written agreement between the department and the School District. That is all being taken care of now. This will never happen again. This was

a one-time event. All departmental functions dealing with schools from now on will have a written agreement as to the chargeback.

On motion of Alderman Lopez, duly seconded by Alderman Pinard, it was voted to accept, receive and adopt the report.

- N. Report of the Committee on Community Improvement recommending that all future MER cash projects be appropriated in the CIP budget, and that the Mayor be requested to submit future budget resolutions accordingly.

Alderman Shea stated this is in regards to the MER cash projects and I think that Bob MacKenzie at our recent meeting indicated to us that it might be a good idea if and it is just a suggestion that if it were possible for you to include in your budget request money for different vehicles. I know that Alderman Forest came to our meeting and was quite concerned about the amount of money allocated for Police cruisers. I am not sure, your Honor, whether or not...

Mayor Baines interjected I think that is a good suggestion, Alderman.

Alderman Shea asked so does that mean that you will do that in the future.

Mayor Baines answered yes.

On motion of Alderman Shea, duly seconded by Alderman Forest, it was voted to accept, receive and adopt the report.

Nominations were presented by Mayor Baines.

Planning Board

Ronald Poltak to succeed himself, term to expire May 1, 2006; and
Robert Stephen to succeed himself, term to expire May 1, 2006.

Alderman DeVries moved to suspend the rules and confirm the nominations as presented.

Alderman Thibault duly seconded the motion.

Alderman DeVries asked the recent resignation on the Planning Board of Mr. Dodd, by reappointing the two individuals does that take care of the vacancy that they would have had.

Mayor Baines answered yes. We moved Todd Connor up and replaced him. We still have an alternate opening on the Planning Board and an alternate opening on the Zoning Board so if there are people who wish to send in a resume for those positions, we would appreciate receiving them.

Mayor Baines called for a vote on the motion to suspend the rules and confirm the nominations as presented. There being none opposed, the motion carried.

Deputy Clerk Johnson advised there were two reports from the Committee on Community Improvement to be submitted which included resolutions for referral to the Committee on Finance. She noted that there were technical corrections being made to the resolutions submitted.

A report of the Committee on Community Improvement and the Committee on Accounts, Enrollment and Revenue Administration was submitted advising that they had reviewed various bond balances and 2004 CIP project requests, recommended that staff recommendations be approved and for such purpose resolutions were submitted.

A second report of the Committee on Community Improvement and the Committee on Accounts, Enrollment and Revenue Administration was submitted recommending that a request to clarify purposes of projects for the Manchester Water Works Water Treatment Process Improvements Project and the Water Works Water Distribution System Improvements be approved and for such purpose resolutions were submitted.

Alderman O'Neil moved to accept both reports of the Committees as presented and refer resolutions submitted with typographical corrections to the Committee on Finance.

Alderman Lopez duly seconded the motion.

Alderman Guinta asked when you say that we are going to refer it to Finance tonight is there an intention of voting in Finance tonight.

Deputy Clerk Johnson answered yes and there are also amendments that are on the Finance agenda now that will need to occur as a result of accepting these reports. It gets rather involved and I would rather just deal with it as one big issue in Finance. There are multiple projects and there is also a report in the Finance Committee so I would like to premise that with some comments before we take it up. If there are questions, I think they should be raised at that time and Mr. MacKenzie and Mr. Clougherty are here to answer those questions.

Alderman Guinta asked we would have a discussion in Finance and take a vote in Finance and if that vote is approved will it come back to the full Board for consideration this evening.

Deputy Clerk Johnson answered some of it will and some of it will lay over because some of it involves bond resolutions.

Mayor Baines called for a vote on the motion to accept both reports of the Committee on Community Improvement and refer the related resolutions to the Finance Committee. The motion carried with none recorded in opposition.

On motion of Alderman Thibault, duly seconded by Alderman Sysyn, it was voted to recess the regular meeting to allow the Committee on Finance to meet.

Mayor Baines called the meeting back to order.

OTHER BUSINESS

A report of the Committee on Finance was presented recommending that Amending Resolution:

“Amending the FY2003 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Eleven Million Four Hundred Thirty Four Thousand Twelve Dollars (\$11,084,012) to provide for expediting of various FY2004 proposed CIP Projects.”

ought to pass and be enrolled and that Bond Resolutions:

“Authorizing Bonds, Notes or Lease Purchases in the amount of Five Hundred Fifty Thousand Dollars (\$550,000) for the 2003 CIP 511603, Recreation Facility Improvements (Leveraged) Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million One Hundred Twenty Five Thousand Dollars (\$2,125,000) for the 2003 CIP 713703, City Motorized Equipment Replacement Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million One Hundred Twenty Thousand Dollars (\$2,120,000) for the 2003 CIP 713803, Major R.O.W. Improvement Projects.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Five Hundred Twenty Five Thousand Dollars (\$525,000) for the 2003 CIP 713903 Municipal Infrastructure Program.”

“A Resolution ‘Authorizing Bonds, Notes or Lease Purchases in the amount of Three Hundred Fifty Thousand Dollars (\$350,000) for the 2003 CIP 713203, Notre Dame Bridge Project’ as amended to \$250,000.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Eighty Five Thousand Dollars (\$285,000) for the 2003 CIP 811203, City Space Improvements Project.”

ought to pass and lay over.

Alderman Lopez moved to accept the report. Alderman Pinard duly seconded the motion.

Alderman Guinta asked does this include the \$1.61 million of additional spending.

Deputy Clerk Johnson asked for which project.

Alderman Guinta answered the transferred money.

Deputy Clerk Johnson stated that is not on this report.

Mayor Baines called for a vote on the motion. There being none opposed, the motion carried.

A report of the Committee on Finance was presented recommending that Resolutions:

“Amending the 2003 Community Improvement Program, to change the purpose of 713103 WTP Process Improvements Project so as to allow for Manchester Water Works Water Distribution System Improvements.”

“Amending the FY1994, 1995, 1997, 1998, 1999, 2000, 2001, 2002 & 2003 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of One Million Nine Hundred Thirty Nine Thousand Fifty Nine Dollars and Eighty Three Cents (\$1,939,059.83) for various CIP Projects.”

ought to pass and be enrolled, and further that Bond Transfer Resolutions:

“Authorizing the Finance Officer to effect a transfer of Twenty Seven Thousand Seven Hundred Twenty-Two Dollars (\$27,722.00) for the 2003 CIP 710103, Inner City Terminal – MTA.”

“Authorizing the Finance Officer to effect a transfer of Eight Hundred Thirty Five Thousand Seven Hundred Twenty Seven Dollars and Thirty One Cents (\$835,727.31) for the 2002 CIP 811502, Municipal Facility Building Acquisition.”

“Authorizing the Finance Officer to effect a transfer of Eighty Nine Thousand Twenty Six Dollars and Eighty Nine Cents (\$89,027.89) for the 2002 CIP 511502 School Site Improvements Program.”

“Authorizing the Finance Officer to effect a transfer of Eighty Four Thousand Twenty Eight Dollars and Forty Nine Cents (\$84,028.49) for the 2003 CIP 612503 Visitor’s Signage Package.”

“Authorizing the Finance Officer to effect a transfer of Eighty Thousand Dollars (\$80,000.00) for the 2003 CIP 511203 Park Capital Improvement Project.”

“Authorizing the Finance Officer to effect a transfer of One Hundred Thousand Dollars (\$100,000.00) for the 2003 CIP 310203 School Bus Acquisition Replacement Project.”

“Authorizing the Finance Officer to effect a transfer of Fifty Three Thousand Eight Hundred Seventy Seven Dollars and Twenty Five Cents (\$53,877.25) for the 2003 CIP 713203, Notre Dame/Bridge Street Bridge Repair.”

“Authorizing the Finance Officer to effect a transfer of Three Hundred Forty Three Thousand Dollars (\$343,000.00) for the 2003 CIP 811203, City Space Improvements.”

ought to pass and be enrolled.

Alderman O'Neil moved to accept the report. Alderman DeVries duly seconded the motion.

Alderman Guinta asked I presume this includes the \$1.61 million.

Deputy Clerk Johnson answered yes it does.

Mayor Baines called for a vote. The motion carried with Alderman Wihby, Gatsas, Guinta and Osborne being duly recorded in opposition.

Communication from Alderman Gatsas to Mr. Sherman requesting a letter be provided by Ropes and Gray giving approval of the ability of the investors guaranteeing the lease for the Riverfront Development Project.

Mr. Clougherty stated a letter has been delivered to Ropes and Gray. I spoke with Alderman Guinta tonight and got some clarification of what he is looking for and as soon as we get that response we will distribute it.

On motion of Alderman Gatsas, duly seconded by Alderman Garrity, it was voted to table this item.

Communication from Deirdre M. O'Callaghan of Preti Flaherty Beliveau Pachios & Haley LLC requesting approval to seek a permit for conditional use under the City's Zoning Ordinance for the operation of a regulated medical waste treatment facility in the East Industrial Park.

Ms. Deirdre O'Callaghan stated I am an attorney representing Angel Steam LLC. The reason that we are here this evening is that my client is interested in developing a regulated medical waste treatment facility on a site in the East Industrial Park here in Manchester and there is a little known asterisk in your zoning ordinance that indicates that a resource recovery and solid waste facility is a conditional use in the industrial zone but it requires the approval of the Board of Mayor and Aldermen so we are here to start that process this evening. I have provided you with a letter to the Mayor that provides some information about our project. I would be happy to answer any questions. With me is David Bowie who is President of Angel Steam LLC and at this point I would leave it open for any questions you may have about the process or the project.

Alderman Wihby asked where does the waste go after you process it.

Ms. O'Callaghan answered it will be sent to an out-of-state landfill or waste management facility.

Alderman Wihby asked, Fred, do you have any concerns with this at all.

Mr. Rusczek responded I had an opportunity a couple of months ago to sit down with the folks from Angel Steam and hear a presentation on their process. The process that is employed here is the same that has been employed for sterilization of medical waste going back to the middle century. Part of the outcome of every healthcare facility is the production

of regulated medical waste. The Health Department currently sends it waste out-of-state. In reviewing the process, it is an age-old process and I feel very comfortable that there are no public health issues associated with the facility.

Alderman Pinard moved to approve the permit. Alderman Thibault duly seconded the motion.

Alderman Guinta asked, Fred, is there a cost for you to send it out of State.

Mr. Rusczek answered yes there is. We don't generate a lot of regulated medical waste. My recollection is we spend about \$100 a month to handle the Health Department waste.

Alderman Lopez asked the \$30,000 in annual municipal property taxes, how was that number arrived at. Did you work with the City Solicitor?

Ms. O'Callaghan answered there is an existing facility on the site and that is the existing tax bill for that site. There will be some improvements to it but basically it will be the same thing.

Alderman Lopez asked and the Health Director has no problem with this.

Mr. Rusczek answered not from what I have seen of the process and understanding the process.

Alderman Lopez asked so if we approve this it goes forward to the Planning Board I assume.

Ms. O'Callaghan answered it requires a conditional use permit from the Planning Board.

Alderman DeVries stated I know that you said primarily you hope to have the surrounding hospitals make use of this but what other communities do you see being serviced by this so that I can get a vision of how much might be trucked in.

Ms. O'Callaghan responded in terms of trucking you should understand that it would be both in and out a maximum of 20 trucks a day.

Alderman DeVries asked how many.

Ms. O'Callaghan answered 20 trucks a day.

Alderman DeVries asked and what size are those trucks.

Ms. O'Callaghan answered they are tractor-trailer size trucks. The economy of scale of this type of project would require that New Hampshire doesn't generate a tremendous amount of regulated medical waste so there would be waste that would come from other locations.

Mayor Baines called for a vote. There being none opposed, the motion carried.

Communication from Comcast requesting the Board of Mayor and Aldermen consider a request for an extension of the current Franchise Agreement with the City for an additional five (5) years.

Alderman Osborne moved to approve the request. Alderman Thibault duly seconded the motion.

Alderman Wihby stated in your office we had an opportunity to speak with the representatives of Comcast and I asked for some information as far as what contracts were from other municipalities recently and we still haven't gotten that. In speaking to the representative she is still getting that for us. Shouldn't this go to a Committee, your Honor?

Mayor Baines responded that would be up to the Board.

Ms. Elizabeth Graham, Director of Government & Community Relations for Comcast in New England stated I pulled together some comparative data. We have had three relatively large cities in Massachusetts renew in the past year and basically what I did was look at those renewals and normalize them out over 15 years, which is the term including the extension that we are talking about here of what the gross revenue projections would be and what the capital payments under those licenses would be as well. Eventually the value of this license projected or franchise projected would be about \$22.15 million and that is comparable to the City of Lowell, which is another City that renewed last and greatly exceeds other renewals in Massachusetts like Fall River and Bedford, which were I believe in the \$11 million range.

Alderman Wihby stated speaking to your earlier though you weren't expecting this to be passed today because you were going to get us that information right.

Ms. Graham answered right I wasn't expecting this to be passed tonight.

Alderman Lopez stated I just want to make sure and I guess the motion was to approve this five-year extension is that correct.

Mayor Baines responded that is correct.

Alderman Lopez stated when we have had some discussion in regards to this I know that one of the questions I asked was to go back and talk to the MCTV Director and I had a few other items in regards to the things that we received before and if we were going to give them an

extension for five years I want to know what is being offered to make sure that we are not getting short changed as we have in the past.

Ms. Graham responded again I think that is what Alderman Wihby was looking for. We are placing this in the context of really an unprecedented move by the company to bring 650 jobs and purchase a large facility in the City. Again, we could look at licenses specific in other communities but we can't ignore the fact that this project overall would bring an economic benefit to the City of about \$80 million a year when you look at the direct administrative and operating costs of the facility and the indirect spin-off impact on the community. 650 jobs and approximately 200 of those would be brand-new jobs to the City and again that comes back to the proposal that we would like you to consider.

Alderman Lopez replied I understand that and I agree with that. I am just concerned about whether or not we are going to get short changed in the other end from MCTV's point of view. If Grace Sullivan knew we were going to talk about this why isn't she here to give us her input?

Alderman Osborne stated doesn't the \$250,000 come into play for the City also.

Ms. Graham answered yes. It is a five-year extension for \$250,000 for the City.

Solicitor Clark stated I know that they have asked for a five year extension and I have met with Elizabeth Graham before and discussed it with her, however, the only thing formally before the Board tonight is a request for an extension. There are no terms here. There has been no proposal made as to a payment or compensation to the City for the extension. Maybe she was expecting this to get referred to Committee so it could be discussed at that point but if you are going to approve an extension we need to know what the terms are so we can draft it or else we are going to have to come back to the Board anyway.

Mayor Baines stated why don't we just refer this to the Committee on Administration.

Alderman Gatsas stated why don't we just table this and let the whole Board make the decision. I think this is an important enough issue that we should all participate in the evaluation of this contract.

Alderman Gatsas moved to table this item pending further information.

Mayor Baines asked does that work for you, Mr. Clark.

Solicitor Clark replied if I understand the Alderman he wants Comcast to submit a formal proposal outlining what they are willing to give the City.

Alderman Gatsas stated that is correct.

Alderman DeVries duly seconded the motion to table.

Alderman O'Neil asked for clarification.

Mayor Baines responded point of order.

Alderman O'Neil asked is it the intent that we are taking this up at the meeting two weeks from tonight. Is that the intent?

Mayor Baines asked is that a reasonable time, Mr. Clark.

Solicitor Clark answered it is a reasonable time if...I believe they understand what they want to offer to the City. It should be presented to the City as to what they want to offer.

Mayor Baines asked can you meet that timeline.

Ms. Graham answered absolutely.

Alderman O'Neil stated one other clarification.

Alderman DeVries stated I will withdraw my second to table if we want additional discussion.

Mayor Baines stated the rules are that if there is a motion to table, you don't have discussion.

Alderman Wihby stated there is no second. She withdrew her second.

Alderman DeVries stated I am withdrawing my second so we can continue the discussion.

Alderman O'Neil stated I am just looking for some clarification, your Honor. That is all I am looking for.

Mayor Baines asked and the maker of the main motion would have to withdraw too. Mr. Clark, could you clarify the rules?

Solicitor Clark replied if the second is withdrawn the motion needs another second.

Alderman O'Neil stated so, if I may address my colleague from Ward 2, the intent would be that we would take it up at the next full Board meeting.

Alderman Gatsas stated the intent would be that I would expect Comcast to come forward with an agreement that we could discuss and we can see if that is the best agreement for the City of Manchester.

Alderman O'Neil asked and we are going to discuss it at the full Board two weeks from tonight and hopefully work it out that night, correct.

Alderman Gatsas answered if she is prepared to...

Ms. Graham interjected yes.

Alderman Gatsas stated if she is prepared to move on a number or she comes in with her final number then I guess we are prepared. If she is willing to negotiate the number that evening we can decide as a Board what we want to do for the citizens of Manchester.

Mayor Baines stated the only thing I would recommend...it would make more sense from a procedural point that it go to Committee and then come to the full Board. I would ask for a motion that it be referred to the Committee on Administration for review and then come back to the full Board in two weeks. The same process would take place but it would allow the Committee to fulfill its function and go through the diligence about any kind of a proposal and to talk to the people involved and bring something to the full Board. That is what I would recommend. Do you want to make that motion, Alderman Wihby?

Alderman Wihby moved to refer the item to the Committee on Administration for review and to get the information that was requested. Alderman Thibault duly seconded the motion.

Mayor Baines asked is there any discussion on the motion to refer this to Committee.

Alderman DeVries stated I certainly have no problem with it going to Committee. I would like to make sure that part of the information this Board receives would be a response or recommendations coming from MCTV staff and the Director. I would like to see them get enough time to evaluate the proposal and see if it is meeting the needs of their technology, not just with...that is going to take us out 15 years into the future?

Ms. Graham replied it would be an additional five years.

Alderman DeVries asked on top of the 10-year contract that I think we are two years into.

Ms. Graham answered we are three years into it.

Mayor Baines called for a vote. There being none opposed, the motion carried.

State Department of Administrative Services surplus distribution
application certification and agreement form submitted for approval by the Board.

On motion of Alderman Thibault, duly seconded by Alderman Wihby, it was voted to
authorize execution of the agreement subject to the review and approval of the City Solicitor.

Bond Resolution:

“Authorizing Bonds or Notes in the Amount of Forty Four Million Dollars
(\$44,000,000) to Pay Costs of Constructing, Originally Equipping and
Furnishing a New Water Treatment Plant for Use by the Manchester Water
Works, and for the Payment of all Other Incidental Costs Related Thereto.”

On motion of Alderman Wihby, duly seconded by Alderman Thibault, it was voted to read
the Bond Resolution by title only, and it was so done.

Deputy Clerk Johnson stated attached to the report of the Committee on CIP related to Water
Works, there is a substitute Resolution. Basically what it does or what we are
recommending is that there be a motion to amend the Resolution by changing the title, which
basically will say:

“Authorizing Bonds or Notes in the Amount of Forty Four Million Dollars
(\$44,000,000) to Pay Costs of Constructing, Originally Equipping and Furnishing a
New Water Treatment Plant for Use by the Manchester Water Works, Water
Distribution System improvements and for the Payment of all Other Incidental Costs
Related Thereto.”

The body of the Resolution also makes note of the Water Distribution System improvements
as well.

On motion of Alderman Sysyn, duly seconded by Alderman Pinard, it was voted that the
Bond Resolution be amended as noted above.

On motion of Alderman DeVries, duly seconded by Alderman Smith, it was voted that the
Bond Resolution pass and be Enrolled as amended.

Resolution:

“Amending the FY2003 Community Improvement Program, transferring,
authorizing and appropriating funds in the amount of Eleven Million Four
Hundred Thirty Four Thousand Twelve Dollars (\$11,434,012) to provide for
expediting of various FY2004 proposed CIP projects.”

On motion of Alderman Thibault, duly seconded by Alderman Pinard, it was voted to read
the Resolution by title only. Deputy Clerk Johnson noted the resolution had been amended to
\$11,084,012. and read the resolution in it's amended form.

On motion of Alderman O'Neil, duly seconded by Alderman DeVries, it was voted that the Resolution, as amended to \$11,084,012 pass and be Enrolled.

Actions relating to resolutions (bond transfers/CIP amending) as may be required pursuant to reports of the Finance Committee.

Deputy Clerk Johnson stated as a result of the actions of the Committee on Finance earlier this evening with regards to all of the bond transfers and the Amending Resolution that outlined all of the transfers and established the \$250,000 for the Notre Dame Bridge, what we would need is a motion to dispense with the readings by title only.

Resolutions:

“Amending the 2003 Community Improvement Program, to change the purpose of 713103 WTP Process Improvements Project so as to allow for Manchester Water Works Water Distribution System Improvements.”

“Amending the FY1994, 1995, 1997, 1998, 1999, 2000, 2001, 2002 & 2003 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of One Million Nine Hundred Thirty Nine Thousand Fifty Nine Dollars and Eighty Three Cents (\$1,939,059.83) for various CIP Projects.”

“Authorizing the Finance Officer to effect a transfer of Twenty Seven Thousand Seven Hundred Twenty-Two Dollars (\$27,722.00) for the 2003 CIP 710103, Inner City Terminal – MTA.”

“Authorizing the Finance Officer to effect a transfer of Eight Hundred Thirty Five Thousand Seven Hundred Twenty Seven Dollars and Thirty One Cents (\$835,727.31) for the 2002 CIP 811502, Municipal Facility Building Acquisition.”

“Authorizing the Finance Officer to effect a transfer of Eighty Nine Thousand Twenty Six Dollars and Eighty Nine Cents (\$89,027.89) for the 2002 CIP 511502 School Site Improvements Program.”

“Authorizing the Finance Officer to effect a transfer of Eighty Four Thousand Twenty Eight Dollars and Forty Nine Cents (\$84,028.49) for the 2003 CIP 612503 Visitor’s Signage Package.”

“Authorizing the Finance Officer to effect a transfer of Eighty Thousand Dollars (\$80,000.00) for the 2003 CIP 511203 Park Capital Improvement Project.”

“Authorizing the Finance Officer to effect a transfer of One Hundred Thousand Dollars (\$100,000.00) for the 2003 CIP 310203 School Bus Acquisition Replacement Project.”

“Authorizing the Finance Officer to effect a transfer of Fifty Three Thousand Eight Hundred Seventy Seven Dollars and Twenty Five Cents (\$53,877.25) for the 2003 CIP 713203, Notre Dame/Bridge Street Bridge Repair.”

“Authorizing the Finance Officer to effect a transfer of Three Hundred Forty Three Thousand Dollars (\$343,000.00) for the 2003 CIP 811203, City Space Improvements.”

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to dispense with the readings by title only.

On motion of Alderman Pinard, duly seconded by Alderman Thibault, it was voted that the Resolutions ought to pass and be Enrolled as submitted.

Deputy Clerk Johnson stated there is one more Resolution that we need to address. It deals with Water Works. We would need a motion to read by title only.

“Amending the FY2003 Community Improvement Program to change the purpose of 713103 WTP Process Improvements Project so as to allow for Manchester Water Works Water Distribution System Improvements.””

On motion of Alderman O'Neil, duly seconded by Alderman Osborne, it was voted to read the Resolution by title only, and it was so done.

On motion of Alderman O'Neil, duly seconded by Alderman DeVries, it was voted that the Resolution pass and be Enrolled.

TABLED ITEM

- 22.** Report of the Committee on Finance recommending that Appropriating Resolution:
“A Resolution appropriating to the Manchester School District the sum of
\$127,075,275 for the Fiscal Year 2004.”
ought to pass and layover with no amendments.

This item remained on the table.

NEW BUSINESS

Alderman Guinta stated I would like to try to clarify what the process is going to be to deal with what we were discussing earlier in Finance regarding the bonding process. I know that you had indicated that you wanted CIP to come up with some sort of response but I would like to clarify that so we are all aware of what the process is going to be to come up with a plan or a procedure and I would like to get a timeline.

Mayor Baines stated CIP is related to the management of different projects in the City. There have been some concerns and we discussed it at this level – the Chairman and I have discussed having a centralized management of projects because as you get into different projects in the City, you know Parks & Recreation might manage a project and the Fire Department might manage a project...the idea is to look at some way of having that under the direction, for example, of the Highway Department to coordinate these projects. That specifically is what I was referring to and what you were talking about as well.

Alderman O'Neil stated that is correct and if I may that does not change the...whoever that central agency may or may not be is still required to work with the Planning and CIP staff, as well as the Finance Department. That would not change at all.

Mayor Baines responded the issue that you are talking about, Alderman Guinta, is related to what happened because of the IRS issue, which we recently became aware of and as soon as we were aware of that...that is why all of these Resolutions came forward.

Alderman Guinta stated my issue is more closely related to what Alderman O'Neil is talking about. The costs that we are incurring are in part due to the fact that we don't have a proper procedure in place. I think that a procedure may address the issue of over bonding and that is the concern that I have because we are looking at a total of \$1.61 million that we need to transfer, which I suspect could have had some positive impact in those budget years that those initial or individual monies were bonded. I think we are on the same page but what I would really like to get a sense of is how we are going to address this and when we are going to address it and who is going to address it?

Alderman O'Neil responded I think the message was clear from some of the discussion tonight that we do have to come up with a process. Part of it will probably include working with Alderman Thibault's Lands and Buildings Committee because they have some jurisdiction. We have several committees that have jurisdiction here but it is something I feel very strongly about and I believe you are supportive as well, Alderman Guinta. I will take the lead and work with the Mayor's Office and include all of the Aldermen in the discussion.

Mayor Baines asked could we do something like with a report back to the Board within 60 days or something like that. Would that be...as soon as possible. We will work on that.

Alderman O'Neil stated I don't believe it is going to change anything moving forward because we are pretty committed already to the projects for the next fiscal year.

Alderman O'Neil stated on behalf of the Board of Mayor and Aldermen I want to thank Kevin Clougherty and the Finance staff, Bob MacKenzie and the CIP staff and where would we be without Carol in getting us through this process tonight. Thank you all. Second, on behalf of Alderman Pinard and myself the Special Committee on Alcohol and Other Drugs will be holding a public forum on Monday, May 12 from 7-9 PM here in the Aldermanic Chambers. The forum will be held to examine the impact that alcohol and other drugs has on individuals, families and institutions in the City of Manchester. If any of my colleagues can fit it into their schedule we would love to have you come down and attend and observe. If you feel like testifying that would be great and we certainly welcome the public to come down and testify before the Committee as well.

Mayor Baines stated I appreciate your comments to the staff and I have special accolades to Carol because I am not sure how anyone can get us through an evening like tonight and try to bring some cohesiveness to the process. Thank you very much for what you have done, Carol. She is the best.

Deputy Clerk Johnson stated the Committee on Human Resources met this evening and there was one report that they requested be brought forward under new business. We did distribute this to the Board.

A report of the Committee on Human Resources/Insurance was presented recommending that a request to establish three new class specifications in the Assessor's Office be approved. The Committee is further recommending that the Board of Mayor and Aldermen suspend the rules and place the related Ordinance enclosed on its final reading by title only this evening and adopt it to Ordain without referrals to the Committees.

On motion of Alderman Lopez, duly seconded by Alderman DeVries, it was voted to accept the report.

Ordinance:

“Amending Section 33.024, 33.025 & 33.026 (Appraisal Technician, Appraiser-Residential & Appraiser-Commercial) of the Code of Ordinances of the City of Manchester.”

On motion of Alderman Shea, duly seconded by Alderman Thibault, it was voted to suspend the rules and place this Ordinance on its final reading by title only at this time without referrals to the Committee on Bills on Second Reading or the Committee on Accounts, Enrollment & Revenue Administration, and it was so done.

This Ordinance having had its final reading by title only, Alderman Sysyn moved on passing same to be Ordained. Alderman Lopez duly seconded the motion. There being none opposed the motion carried.

Mayor Baines asked, Mr. MacKenzie, will you please inform the Board as to what is happening in these Chambers tomorrow beginning at 8:30 AM.

Mr. MacKenzie answered there is a group of various agencies totaling eleven organizations that are getting together to talk about various primarily downtown planning activities and planning promotion activities. The Destination Coordinator and myself will be hosting it. It includes groups like Intown Manchester, Art Builds Community and other organizations that are...a lot of them are doing promotions and we are trying to coordinate our efforts particularly as they relate to the Presidential Primary coming up.

Mayor Baines stated and it is from 8:30-10 AM tomorrow correct.

Mr. MacKenzie answered yes.

Alderman Guinta stated I don't know that we have any more meetings scheduled regarding the budget process so I think maybe we should consider taking up the City side of the budget at least this evening and I would make a motion to accept your budget.

Alderman Wihby duly seconded the motion.

Mayor Baines stated I am not accepting that motion. We have more discussion that has to take place with the budget.

Alderman O'Neil stated I just spoke with the City Clerk this evening and we have tentatively scheduled May 19. That date can be flexible but we have tentatively scheduled May 19 to bring in the departments that have requested to come before the Board as well as the departments that Aldermen have requested to have come before us. That is already in the works. I don't think there was any intent to not put the effort in to finalize the operating budget.

Communication from Thomas I. Arnold, III requesting a recess to meet with counsel regarding the recent decision from the Hillsborough County Superior Court in the School District v. The City of Manchester case.

Mayor Baines called for a recess to meet with counsel.

Mayor Baines called the meeting back to order.

There being no further business, on motion of Alderman Smith, duly seconded by Alderman Thibault, it was voted to adjourn.

A True Record. Attest.

City Clerk